

REMARKS

Claims 1 - 15 are pending in the application. Claims 1 - 25 are rejected.

15 gr

REJECTIONS UNDER 35 U.S.C. §112

Applicant has amended claims 14 and 15 to remove the redundant phrase " and 50°."

REJECTIONS UNDER 35 U.S.C. §103

Claims 1-4, 6-8, 11, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bremer in view of Reiser.

Applicant respectfully submits that Bremer in view of Reiser does not disclose that which is claimed by Applicant. First, Reiser's disclosure relates to securing a graft to a bone tunnel, not to securing an immobilization system to a patient. Therefore, it would not be obvious to apply the teachings of Reiser to Bremer to produce Applicant's claimed invention.

Second, Reiser's rounded tip is at the end of a threaded component. To the contrary, Applicant's claimed pin has straight sides. Arguments that may be relevant to abrasion minimization by use of a rounded tip on a threaded pin, cannot be logically applied to a straight-sided pin, as the mechanism that stabilizes the pin in the bone is different.

Furthermore, Applicant's claimed rounded tip provides strength needed under high traction pressure and other stress loads. Reiser's use of a rounded tip to reduce abrasion would not suggest the use of Applicant's rounded tip to increase strength.

Accordingly, Applicant's claimed invention is not disclosed or suggested by Bremer in view of Reiser. Withdrawal of the 103(a) rejection is, therefore, respectfully requested.

Applicant further notes, with respect to claims 6, 14 and 15, that Applicant's claimed range of 30° - 50° is not depicted in Bremer, FIG. 3. Bremer's FIG. 3 actually shows an angle greater than 50°. Applicant's claimed range is important, as the angle

must be sufficiently small to be capable of holding the pin in the bone but not so small that the pin may break (p.7, lines 15-18).

CONCLUSION

As far as the Examiner's rejections have been fully addressed, the instant application is seen to be in condition for allowance. In view of the foregoing, withdrawal of the Examiner's rejections and issuance of a Notice of Allowance of all pending claims is therefore respectfully requested.

Respectfully submitted,
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Marked-up Copy of Claim Amendment

14. (Once Amended) The kit of claim 7 wherein the tapered portion has an angle between 30° and 50° ~~and 50°~~ .
15. (Once Amended) The kit of claim 9 wherein the tapered portion has an angle between 30° and 50° ~~and 50°~~ .